

United States District Court
District of Rhode Island

United States of America
v.
David Staveley

Case No. 20-CR-00074-MSM

Motion to Compel Compliance
to Court Order - Granting Motion
for Return of Property.

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U.S. DISTRICT COURT
DISTRICT OF R.I.

The following Motion is presented to the Honorable Court by the defendant Pro Se and without the guidance of qualified counsel as that was denied.

The defendant is not an attorney and has no legal knowledge or experience, and while submitting this motion while incarcerated, during limiting Covid-19 protocols, no available resources, no ability to research or investigate and extremely limited access to communications, the defendant is prejudiced and it has already been demonstrated by the court his efforts are futile. Although the defendant will try.

1. On 2/4/2022 the Court Ordered the Return of Property as to David Staveley. Some, but not all has been returned.
2. Attempts have been made prior to this motion to without the Courts involvement to get remaining property. Specifically, Massachusetts government issued valid drivers license. But have been unsuccessful.

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3. It has been reported time and time again by the Providence Journal as well as other forms of Media that "Authorities recovered Stoveley's wallet with credit cards and his Massachusetts Drivers License..." none of this has been returned.

4. Additionally, in reports generated by Special Agent Christine Brady of the FBI it appears that the Defendant's government issued drivers license is present and demonstrates logged in as property of the defendant.

5. Agent Brady came to defendant's residence and returned some, but not all property of the defendant, rather she provided files that belonged to Co-Defendant David Butsinger which two days later she returned to retrieve.

6. U.S. Marshall Alvin Silver also sent a few articles of personal property belonging to the defendant, but not all non-evidentiary property. When asked for the license...? Marshall Silver became irate and began making unfounded and unproven allegations against the defendant, this in recent months.

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The Defendant request immediate relief. Clearly the Massachusetts Drivers license is or was in the custody of the U.S. Government during this case. On 9/4/2022 The Court Ordered the return of Property. The Defendant has made requests, as a sign of good faith, to have his license returned. Only to be confronted by more allegations and innuendo by Government law enforcement representation. The Massachusetts license is an essential part of the Defendants release plan from the BOP. The Defendant asks for the license to be returned or replaced as the Court has Ordered its return. Ongoing acts of retaliation should not be condoned by the Court.

Respectfully Submitted

David Stacey
Pro Se

		court docket report transmitted to the U.S. Court of Appeals for the First Circuit in accordance with 1st Cir. R. 11.0(b). as to David Staveley <u>53</u> Notice of Appeal - Other. (Attachments: # <u>1</u> record on appeal)(Kenny, Meghan) (Entered: 10/18/2021)
10/18/2021		USCA Case Number 21-1842 assigned as to <u>53</u> Notice of Appeal filed by David Staveley. (Kenny, Meghan) (Entered: 10/18/2021)
10/19/2021		TEXT ORDER denying <u>59</u> Motion for Reconsideration filed by David Staveley. So Ordered by District Judge Mary S. McElroy on 10/19/2021.(Potter, Carrie) (Entered: 10/19/2021)
11/05/2021	<u>65</u>	MOTION to Appoint Counsel by David Staveley. Responses due by 11/19/2021. (Attachments: # <u>1</u> Envelope)(DaCruz, Kayla) (Entered: 11/05/2021)
11/12/2021		TEXT ORDER denying <u>65</u> Motion to Appoint Counsel as to David Staveley (1). The case is under appeal, therefore, this Court does not have jurisdiction. So Ordered by District Judge Mary S. McElroy on 11/12/2021.(Potter, Carrie) (Entered: 11/12/2021)
11/15/2021	<u>66</u>	MOTION for Leave to Appeal In Forma Pauperis by David Staveley. Responses due by 11/29/2021. (Attachments: # <u>1</u> Envelope)(DaCruz, Kayla) (Entered: 11/15/2021)
11/18/2021		TEXT ORDER granting <u>66</u> Motion for Leave to Appeal In Forma Pauperis as to David Staveley (1). So Ordered by District Judge Mary S. McElroy on 11/18/2021.(Potter, Carrie) (Entered: 11/18/2021)
11/19/2021	<u>67</u>	Supplemental Record on Appeal transmitted to U.S. Court of Appeals for the First Circuit. as to David Staveley <u>53</u> Notice of Appeal - Other,, (Attachments: # <u>1</u> Supplemental ROA)(DaCruz, Kayla) (Entered: 11/19/2021)
01/25/2022	<u>68</u>	TRANSCRIPT of Change of Plea Hearing filed as to David Staveley for the date of May 17, 2021, before Judge Mary S. McElroy, re <u>53</u> Notice of Appeal - Other, COA Number: 21-1842. Court Reporter Karen Wischnowsky, Telephone number (401) 752-7045. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER Redaction Request due 2/15/2022. Redacted Transcript Deadline set for 2/25/2022. Release of Transcript Restriction set for 4/25/2022. (Wischnowsky, Karen) (Entered: 01/25/2022)
02/04/2022		TEXT ORDER granting <u>56</u> Motion for Return of Property/PostTrial as to David Staveley (1). So Ordered by District Judge Mary S. McElroy on 2/4/2022.(Potter, Carrie) (Entered: 02/04/2022)
02/21/2022	<u>69</u>	TRANSCRIPT of Sentencing Hearing, filed as to David Staveley, for date of October 7, 2021, before Judge Mary S. McElroy, re <u>53</u> Notice of Appeal - Other,, COA Number: 21-1842. Court Reporter Denise P. Veitch, Telephone number 401-752-7031. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER Redaction Request due 3/14/2022. Redacted Transcript Deadline set for 3/24/2022. Release of Transcript Restriction set for 5/23/2022. (Veitch, Denise) (Entered: 02/21/2022)
04/05/2022	<u>70</u>	TRANSCRIPT ORDER for proceedings held on 5/5/2020; 8/5/2020; 3/1/2021 before Magistrate Judge Lincoln D. Almond. Ordinary Transcript delivery selected. Transcript to be delivered in 30 days. (DaCruz, Kayla) (Entered: 04/05/2022)
04/05/2022	<u>71</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>70</u> Transcript Order. Court Reporter/Transcriber: Lisa Schwam (Dias, Jennifer) (Entered: 04/05/2022)